

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEBRASKA

| | | |
|------------------|---|--------------------|
| JOSEPH A. KURTZ, |) | |
| |) | |
| Plaintiff, |) | 8:15CV331 |
| |) | |
| v. |) | |
| |) | |
| JOHN DOE, |) | MEMORANDUM OPINION |
| |) | |
| Defendant. |) | |
| _____ |) | |

This matter is before the Court on a preliminary review of plaintiff Joseph Kurtz's complaint. Kurtz is a frequent filer who has a history of suing private citizens for perceived wrongs, this time because an unknown white male assaulted him on August 22, 2015. (Filing No. [1](#) at CM/ECF p. 2.) The judges of this Court have informed Kurtz on numerous occasions that jurisdiction must be proper in order for a case to proceed in this Court. *See, e.g., Kurtz v. Akins*, 8:08CV83-JFB-PRSE; *Kurtz v. Maryland*, 8:13CV170-LSC-PRSE; *Kurtz v. France*, 8:14CV117-JMG-PRSE; *Kurtz v. Miller*, 8:14CV139-LES-PRSE.

The Court has an obligation to dismiss an action if it determines at any time that it lack subject matter jurisdiction over it. *See* [Fed. R. Civ. P. 12\(h\)\(3\)](#). It will do so here because it is apparent that Kurtz has, once again, filed an action without any discernible basis for this Court's jurisdiction. The Court will not give Kurtz an opportunity to

file an amended complaint because to do so would be futile. As explained above, the jurisdictional requirements for filing suit in this Court have been explained to him many times. A separate order will be entered in accordance with this memorandum opinion.

DATED this 20th day of January, 2016.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court